

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLOUGHLY DOUGLAS and LOVECORA
DOUGLAS,

24 CV 3030 (KMK)

Plaintiffs,

**AFFIRMATION OF COUNSEL
IN SUPPORT OF MOTION TO
WITHDRAW AS PLAINTIFFS'
COUNSEL**

vs.

WALMART, KELLY G. MOORER, JR.,
RORY J. MEYER, RACHEL BITJEMAN,
TIM KAUTZ,

Defendants.

-----x
STATE OF NEW YORK)
) ss:s:
COUNTY OF ORANGE)

Michael H. Sussman, Esq., an attorney admitted to practice law in this Court, hereby states and affirms:

1. I currently represent plaintiffs in this matter which I filed in April 2024 and make this motion to withdraw in compliance with Local Rule 1.04, SDNY.
2. Before initiating the matter, I represented Willoughby Douglas in criminal proceedings arising from the same underlying incident and resolved his case through an ACD which allowed him to pursue his federal claim for false arrest. Based upon his account and video evidence then available to me, I also included an excessive force claim in the

Complaint and a cause of action for false arrest on behalf of his spouse, plaintiff Lovecora Douglas.

3. Having completed extensive discovery, my clients and I disagree on how we should proceed with this case, causing irreconcilable differences between us and causing me to conclude that I cannot adequately or fairly represent them in this litigation. I seek leave to withdraw based on my conclusion that I cannot fully and adequately represent plaintiffs as this matter proceeds.
4. I am not asserting a lien of any sort on the file.
5. I shall serve my motion and this Affirmation upon my clients by email iwilldouglas@gmail.com

WHEREFORE, the Court should grant the motion of Michael H. Sussman, Esq. to withdraw as counsel for plaintiffs in this matter and provide plaintiffs 45 days to identify new counsel or appear *pro se* in this matter.

Dated: December 4, 2024


MICHAEL H. SUSSMAN, ESQ.